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DEPARTMENT OF Health and Human Services

Administration for Community Living

Proposed priority--National Institute on Disability,

Independent Living, and Rehabilitation Research--

Rehabilitation Research and Training Centers

CFDA Number: 84.133B-5.

AGENCY: Administration for Community Living

ACTION: Notice of Proposed priority.

SUMMARY: The Administrator of the Administration for Community Living proposes a priority for the Rehabilitation Research and Training Center (RRTC) Program administered by the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR). Specifically, this notice proposes a priority for an RRTC on Employment for Individuals with Blindness or other Visual Impairments. We take this action to focus research attention on an area of national need. We intend this priority to contribute to improved employment for individuals with blindness or other visual impairments.

DATES: We must receive your comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Submit your comments through the Federal eRulemaking Portal or via postal mail or commercial delivery. We will not accept comments submitted by fax or by email or those submitted after the comment period. To ensure that we do not receive duplicate copies, please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

- Federal eRulemaking Portal: Go to www.regulations.gov to submit your comments electronically. Information on using Regulations.gov, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under "Are you new to the site?"

- Postal Mail or Commercial Delivery: If you mail or deliver your comments about these proposed regulations, address them to Patricia Barrett, U.S. Department of Health and Human Services, 400 Maryland Avenue, SW., room 5142, Potomac Center Plaza (PCP), Washington, DC 20202-2700.

Privacy Note: The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking

Portal at www.regulations.gov. Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: Patricia Barrett.

Telephone: (202) 245-6211 or by email:

patricia.barrett@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

This notice of proposed priority is in concert with NIDRR's currently approved Long-Range Plan (Plan). The Plan, which was published in the Federal Register on April 4, 2013 (78 FR 20299), can be accessed on the Internet at the following site:

www.ed.gov/about/offices/list/opers/nidrr/policy.html.

The Plan identifies a need for research and training regarding employment of individuals with disabilities. To address this need, NIDILRR seeks to: (1) improve the quality and utility of disability and rehabilitation research; (2) foster an exchange of research findings, expertise, and other information to advance knowledge and understanding of the needs of individuals with disabilities and their family members, including those from among

traditionally underserved populations; (3) determine effective practices, programs, and policies to improve community living and participation, employment, and health and function outcomes for individuals with disabilities of all ages; (4) identify research gaps and areas for promising research investments; (5) identify and promote effective mechanisms for integrating research and practice; and (6) disseminate research findings to all major stakeholder groups, including individuals with disabilities and their family members in formats that are appropriate and meaningful to them.

This notice proposes one priority that NIDILRR intends to use for one or more competitions in fiscal year (FY) 2015 and possibly later years. NIDILRR is under no obligation to make an award under this priority. The decision to make an award will be based on the quality of applications received and available funding. NIDILRR may publish additional priorities, as needed.

Invitation to Comment: We invite you to submit comments regarding this proposed priority. To ensure that your comments have maximum effect in developing the final priority, we urge you to identify clearly the specific topic within the priority that each comment addresses.

We invite you to assist us in complying with the specific requirements of Executive Orders 12866 and 13563 and their overall requirement of reducing regulatory burden that might result from this proposed priority. Please let us know of any further ways we could reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the program.

During and after the comment period, you may inspect all public comments by following the instructions found under the "Are you new to the site?" portion of the Federal eRulemaking Portal at www.regulations.gov. Any comments sent to NIDILRR via postal mail or commercial deliver can be viewed in room 5142, 550 12th Street, SW., PCP, Washington, DC, between the hours of 8:30 a.m. and 4:00 p.m., Washington, DC time, Monday through Friday of each week except Federal holidays.

Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record: On request we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for this notice. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please

contact the person listed under FOR FURTHER INFORMATION CONTACT.

Purpose of Program: The purpose of the Disability and Rehabilitation Research Projects and Centers Program is to plan and conduct research, demonstration projects, training, and related activities, including international activities, to develop methods, procedures, and rehabilitation technology that maximize the full inclusion and integration into society, employment, independent living, family support, and economic and social self-sufficiency of individuals with disabilities, especially individuals with the most severe disabilities, and to improve the effectiveness of services authorized under the Rehabilitation Act of 1973, as amended (Rehabilitation Act).

Rehabilitation Research and Training Centers

The purpose of the RRTCs, which are funded through the Disability and Rehabilitation Research Projects and Centers Program, is to achieve the goals of, and improve the effectiveness of, services authorized under the Rehabilitation Act through well-designed research, training, technical assistance, and dissemination activities in important topical areas as specified by NIDILRR. These activities are designed to benefit

rehabilitation service providers, individuals with disabilities, family members, policymakers and other research stakeholders. Additional information on the RRTC program can be found at:

<http://www2.ed.gov/programs/rrtc/index.html#types>.

Program Authority: 29 U.S.C. 762(g) and 764(b)(2).

Applicable Program Regulations: 34 CFR part 350.

PROPOSED PRIORITY:

This notice contains one proposed priority.

RRTC on Employment for Individuals with Blindness or other Visual Impairments.

Background:

Employment rates for individuals with blindness or other visual impairments are low compared to other persons with disabilities and the nondisabled population. Of 3.5 million working age adults who report vision loss, only 1.3 million or 37 percent are employed (U.S. Census Bureau, 2012). Key groups within the population of persons with blindness and visual impairments would benefit from research and development to promote better employment outcomes. These groups include:

a) Deaf blindness - Rough estimates suggest there are approximately 45 to 50 thousand individuals with deaf-blindness in the United States (Galluadet University,

2010). Among students who received services under the Individuals with Disabilities Education Act (IDEA), 36.1 percent of students with multiple disabilities/deaf-blindness were employed after leaving high school as compared to 62.4 percent among students with visual impairments only (American Federation of the Blind, 2014). For the 2,020 persons with deaf-blindness who received services through the Federal/State Vocational Rehabilitation program from 2008 through 2013, 64.5 percent achieved employment outcomes (Rehabilitation Services Administration, 2014). Prevalence and employment data thus vary considerably and strategies for improving communication, social development, self-determination, and employment for this subpopulation have not kept pace with emerging technologies accessible to most citizens (Hartman, 2010). Development and testing of new technologies focused on improving the employment and quality of life outcomes of people with deaf-blindness is needed along with effective knowledge translation and dissemination.

b) Blindness or low vision related to traumatic brain injury (TBI) - In 2010, approximately 2.5 million people received a traumatic brain injury (Center for Disease Control (2010). TBI is also a signature cause of disability among veterans of the wars in Iraq and

Afghanistan (U.S. Department of Defense, 2012). Closed head injuries often result in focal axonal swelling and disconnection, damage to optic nerves, impaired visual processing, and eye movement difficulties due to cranial nerve disruption. Research has estimated that among individuals with TBI in the United States, 42 percent were unemployed (Doctor, Castro, Temkin, Fraser, Machamer & Dikmen, 2005). For Vocational Rehabilitation consumers with TBI, 49.4 percent or 6,040 achieved employment in 2013 (Rehabilitation Services Administration, 2014). There are little data on the employment outcomes of individuals with TBI who experience low-vision and blindness, however. Research is needed to document the employment outcomes of individuals who experience low vision and blindness due to or in addition to TBI and to develop effective neuropsychological rehabilitation, psychotherapy, vocational rehabilitation, and other interventions for improving employment outcomes for these individuals.

c) Transition-age students - High school students with blindness or visual impairments demonstrate higher academic achievement and are more likely to continue with postsecondary education when compared to other students receiving special education services under the IDEA. However, these students are less likely to achieve

employment outcomes despite demonstrated academic success (Wagner, Newman, Cameto, Levine & Garza 2006; McDonnall, 2010). Qualitative research suggests that early intervention and planning, family involvement, interagency coordination and early work-based experiences may improve employment outcomes for transition-age students with blindness or visual impairments (Crudden, 2012). Rigorous research evaluating the potential of these and other employment-focused strategies, including vocational rehabilitation, may thus yield results that inform effective policies and practice.

References:

American Federation of the Blind (2014). NLTS2 Tables: Transition of Youth with Visual Impairments, Multiple Impairments, or Deaf-Blindness. Retrieved January 9, 2015, from: <http://www.afb.org/info/programs-and-services/public-policy-center/employment-and-rehabilitation/nlts2-tables/1235#table5>

Census Bureau (2012). American Community Survey, American FactFinder, Table B18120. Retrieved September 23, 2013, from: <http://factfinder2.census.gov>

Center for Disease Control (2010). National Hospital Discharge Survey (NHDS). Retrieved January 9, 2015, from:
<http://www.cdc.gov/traumaticbraininjury/data/index.html>

Crudden, A. (2012). Transition to Employment for Students with Visual Impairments: Components for Success. *Journal of Visual Impairment & Blindness*. January 9, 2015, from:
<http://www.afb.org/afbpress/pubjvib.asp?DocID=jvib060702>

Doctor J.N., Castro J., Temkin N.R., Fraser R.T., Machamer J.E., Dikmen S.S. (2005). Workers' risk of unemployment after traumatic brain injury: a normed comparison. *Journal of International Neuropsychological Society* 11(6):747-52.

Gallaudet University Library (2010). *American Deaf-Blind Population*. Retrieved January 9, 2015, from:
<http://libguides.gallaudet.edu/content.php?pid=119476&sid=1029203>

Hartman, E. (2011). *National Consortium on Deafblindness: Universal Design for Learning*. Retrieved January 9, 2015, from:
<http://files.eric.ed.gov/fulltext/ED531767.pdf>

McDonnall, M. (2010). Factors affecting employment outcomes for young adults with visual impairments. *Rehabilitation Counseling Bulletin* (54), 36-45.

Rehabilitation Services Administration (2014). RSA-911 Case Service Report. Retrieved January 9, 2015, from: www2.ed.gov/policy/speced/guid/rsa/pd-04-04.doc

U.S. Department of Defense (2012). Traumatic Brain Injury Special Report. Retrieved January 9, 2015, from: http://www.defense.gov/home/features/2012/0312_tbi/

Wagner, M., Newman, L., Cameto, R., Levine, P., and Garza, N. (2006). *An Overview of Findings From Wave 2 of the National Longitudinal Transition Study-2 (NLTS2)*. Retrieved January 9, 2015, from: <http://ies.ed.gov/ncser/pdf/20063004.pdf>

Definitions:

The research that is proposed under this priority must be focused on one or more stages of research. If the RRTC is to conduct research that can be categorized under more than one research stage, or research that progresses from one stage to another, those research stages must be clearly specified. For purposes of this priority, the stages of research are from the notice of final priorities and definitions published in the Federal Register on June 7, 2013 (78 FR 34261).

(a) Exploration and Discovery means the stage of research that generates hypotheses or theories by conducting new and refined analyses of data, producing

observational findings, and creating other sources of research-based information. This research stage may include identifying or describing the barriers to and facilitators of improved outcomes of individuals with disabilities, as well as identifying or describing existing practices, programs, or policies that are associated with important aspects of the lives of individuals with disabilities. Results achieved under this stage of research may inform the development of interventions or lead to evaluations of interventions or policies. The results of the exploration and discovery stage of research may also be used to inform decisions or priorities.

(b) Intervention Development means the stage of research that focuses on generating and testing interventions that have the potential to improve outcomes for individuals with disabilities. Intervention development involves determining the active components of possible interventions, developing measures that would be required to illustrate outcomes, specifying target populations, conducting field tests, and assessing the feasibility of conducting a well-designed interventions study. Results from this stage of research may be used to inform the design of a study to test the efficacy of an intervention.

(c) Intervention Efficacy means the stage of research during which a project evaluates and tests whether an intervention is feasible, practical, and has the potential to yield positive outcomes for individuals with disabilities. Efficacy research may assess the strength of the relationships between an intervention and outcomes, and may identify factors or individual characteristics that affect the relationship between the intervention and outcomes. Efficacy research can inform decisions about whether there is sufficient evidence to support "scaling-up" an intervention to other sites and contexts. This stage of research can include assessing the training needed for wide-scale implementation of the intervention, and approaches to evaluation of the intervention in real world applications.

(d) Scale-Up Evaluation means the stage of research during which a project analyzes whether an intervention is effective in producing improved outcomes for individuals with disabilities when implemented in a real-world setting. During this stage of research, a project tests the outcomes of an evidence-based intervention in different settings. It examines the challenges to successful replication of the intervention, and the circumstances and activities that contribute to successful adoption of the intervention in

real-world settings. This stage of research may also include well-designed studies of an intervention that has been widely adopted in practice, but that lacks a sufficient evidence-base to demonstrate its effectiveness.

Proposed Priority:

The Administrator of the Administration for Community Living proposes a priority for an RRTC on Employment for Individuals with Blindness or other Visual Impairments. The purpose of the proposed RRTC is to conduct research that generates new knowledge about the efficacy of rehabilitative services and technology used to support improved employment outcomes of individuals with blindness or other visual impairments, including subpopulations that are the focus of this priority.

The RRTC must contribute to improving the employment outcomes of individuals with blindness or other visual impairments by:

(a) Conducting research on the efficacy of rehabilitation services and technology used to enhance employment outcomes of individuals with blindness or other visual impairments. Outcomes must include but are not limited to obtaining employment, retention, promotion, and quality of salary and benefits. The RRTC must focus its research on the target population of individuals with

blindness or other visual impairments, including at least one of the following subpopulations of particular concern:

1) individuals who are deaf-blind, 2) individuals with blindness or low vision related to traumatic brain injury, and 3) transition-age young people with blindness or other visual impairments;

(b) Generating new knowledge about how the outcomes of the services and technologies investigated in paragraph (a) vary with relevant variables such as service type, consumer characteristics, and provider characteristics;

(c) Focusing its research on one or more specific stages of research. If the RRTC is to conduct research that can be categorized under more than one of the research stages, or research that progresses from one stage to another, those stages should be clearly justified;

(d) Serving as a national resource center related to employment for individuals with blindness or other visual impairments, their families, and other stakeholders by conducting knowledge translation, technical assistance, and training activities;

(e) Disseminating research-based information and materials related to improving the quality of services to individuals with blindness or other visual impairments; and

(f) Involving key stakeholder groups in the activities conducted under paragraphs (a) and (b) of this priority to promote the new knowledge generated by the RRTC.

Final Priority:

We will announce the final priority in a notice in the Federal Register. We will determine the final priority after considering responses to this notice and other information available to the Department. This notice does not preclude us from proposing additional priorities, requirements, definitions, or selection criteria, subject to meeting applicable rulemaking requirements.

Note: This notice does not solicit applications. In any year in which we choose to use this priority, we invite applications through a notice in the Federal Register.

Executive Orders 12866 and 13563 or in a Funding Opportunity Announcement posted at www.grants.gov.

Executive Orders 12866 and 13563

Regulatory Impact Analysis

Under Executive Order 12866, the Secretary must determine whether this regulatory action is "significant" and, therefore, subject to the requirements of the Executive Order and subject to review by the Office of Management and Budget (OMB). Section 3(f) of Executive

Order 12866 defines a "significant regulatory action" as an action likely to result in a rule that may--

(1) Have an annual effect on the economy of \$100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities in a material way (also referred to as an "economically significant" rule);

(2) Create serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles stated in the Executive Order.

This proposed regulatory action is not a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866.

We have also reviewed this regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order

12866. To the extent permitted by law, Executive Order 13563 requires that an agency--

(1) Propose or adopt regulations only upon a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account--among other things and to the extent practicable--the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives--such as user fees or marketable permits--to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency "to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible." The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include "identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes."

We are issuing this proposed priority only upon a reasoned determination that its benefits would justify its costs. In choosing among alternative regulatory approaches, we selected those approaches that would maximize net benefits. Based on the analysis that follows, the Department believes that this proposed priority is consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action would not unduly interfere with State, local, and tribal governments in the exercise of their governmental functions.

In accordance with both Executive Orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined as

necessary for administering the Department's programs and activities.

The benefits of the Disability and Rehabilitation Research Projects and Centers Program have been well established over the years. Projects similar to one envisioned by the proposed priority have been completed successfully, and the proposed priority would generate new knowledge through research. The new RRTC would generate, disseminate, and promote the use of new information that would improve employment outcomes for individuals with blindness or other visual impairments.

Intergovernmental Review: This program is not subject to Executive Order 12372.

Electronic Access to This Document: The official version of this document is the document published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available via the Federal Digital System at:

www.gpo.gov/fdsys. At this site you can view this document, as well as all other documents of this Department published in the Federal Register, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the Federal Register by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: February 19, 2015

Kathy Greenlee _____
Administrator

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